

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF:

JAMES MICHAEL PERKINS

Debtor

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CASE NO. 05-10504

DECISION AND ORDER

At Fort Wayne, Indiana, on June 21, 2005

The notice of motion and opportunity to object which Americredit Financial Services (hereinafter "Movant") served in connection with its agreed entry modifying the debtor's chapter 13 plan does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The deadline for filing objections indicates that creditors have been given fifteen (15) days within which to file an objection when in fact they are entitled to at least twenty (20) days notice of the opportunity to file objections pursuant to order of May 24, 2005.
- b. The notice is not accompanied by a copy of the court's order authorizing notice to creditors and establishing deadlines for filing objections. N.D. Ind. L.B.R. B-2002-2(e).

Since creditors and parties in interest have not been given appropriate notice of the agreed entry and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of the agreed entry and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in confirmation of the debtor's chapter 13 plan being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court